

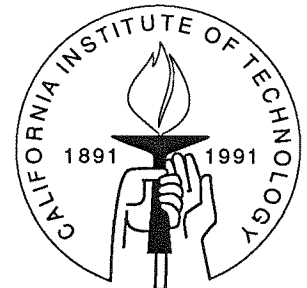
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The Third Whig

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Abstract

THE THIRD WHIG is the fifth chapter of my biography of Thomas Wharton, later 5th Baron, 1st Earl, and 1st Marquess of Wharton (and Tom Wharton, or Honest Tom to political England). The chapter picks up the story after Tom's marriage to a wealthy heiress and his election to Parliament as a Member from Wendover, and it endeavors to explain some of the political crises and grotesqueries that made Tom's subsequent political career and his famous political party possible. Since I am anxious to make Tom Wharton understandable to anyone who can read—not merely to experts on 17th-century politics—and since I am particularly concerned to explain him to his countrymen, who in general are at least as vague about their own history as Americans are about theirs, I have been obliged to rehearse some facts that will seem disgustingly familiar to some professionals and endlessly debatable to others. I am persuaded, however, that another tour through the events that helped produce the Whig party and the English Revolution is a wholesome and fascinating exercise—especially since the events look different from the vantage, or disadvantage, point of the 1990s, and since the cast of characters alone warrants the trip.

I have included a table of abbreviations and a list of short titles to help readers who are so inclined to follow the end-notes. I hasten to add that these lists are designed for the whole book, not merely the chapter on the third Whig.

The Third Whig

J. Kent Clark

When Samuel Johnson told James Boswell that the first Whig was the devil, he tacitly relegated Anthony Ashley Cooper, Earl of Shaftesbury, to the position of second Whig and demoted Tom Wharton, Shaftesbury's young disciple, to the rank of third Whig. In March 1673, however, when the twenty-four year old Tom Wharton made his first brief appearance in Parliament, there were no Whigs at all, except perhaps for the devil; and the Earl of Shaftesbury, far from opposing Charles II, was the King's Lord Chancellor.¹ It was Shaftesbury, in fact, who in a formal address to Parliament, on 5 February, explained the government's position and who defended, in a speech memorable for its brilliance, ingenuity, and duplicity, a grotesque error in foreign policy.² He defended, ironically enough, one of the fundamental mistakes that would make the Whig party possible.

The error in question was the alliance between Charles II and Louis XIV to crush the Dutch Republic. This alliance had been forged in the summer of 1670 with the then-secret and now-famous Treaty of Dover.³ By the avowable terms of the pact, later embedded in a sham treaty,⁴ Charles agreed to join Louis in dismembering the Republic and removing it as a threat to English commercial and naval supremacy. And by the supersecret terms (unknown to Charles's Protestant councilors, including Shaftesbury), Charles agreed that

¹Shaftesbury, under his earlier title, first Baron Ashley, was the second *a* in *Cabal*. He was created first Earl of Shaftesbury on 23 Apr. 1672 and made Lord Chancellor on the following 17 Nov.

²For Shaftesbury's speech to the assembled Lords and Commons, as well as the short address by Charles II which preceded it, see *HCI*, ix, 246-48; *HLJ*, xii, 525-26.

³Taken out of its immediate historical context, Charles's alliance with the French to crush the Dutch seems criminally insane, even without its secret Catholic provisions—as if in the spring of 1914 the British government had secretly abandoned its recent entente with France and joined Kaiser Wilhelm to smash the French. In its historical context, however, the alliance was only a gross blunder—a *Dummheit* perpetrated by men who were refighting the last war, who had hopelessly underestimated the growing power of Louis XIV, and who did not possess the luxury of hindsight. It was an error that would require three long European wars and many thousands of lives to correct. For a concise statement of the overall effects of Charles's foreign policy, see G. C. Gibbs, "The Revolution in Foreign Policy," *Britain after the Glorious Revolution*, ed. Geoffrey Shorter Holmes (London, 1969; 5th reprint, 1984), p. 60; for the absolutist implications, see James Rees Jones, *Country and Court; England, 1658-1714* (Cambridge, Mass., 1978), pp. 164-65.

⁴The sanitized treaty, minus the Catholic clauses, was signed at Westminster by Shaftesbury (then Ashley), Buckingham, Lauderdale, Arlington, and Clifford, on 21 Dec. 1670.

at an appropriate time, for a subsidy of two million “livres Tournois”⁵ and with the help if necessary of 6,000 French soldiers, he would announce his own conversion to Catholicism.⁶

There were great reasons for secrecy, of course. If the loyal subjects of Charles II had learned of the Catholic clauses in his treaty, they might have removed his head before his French friends could arrive. And if the Dutch, with whom England was then allied, had learned of the intended treachery, they would have been better able to hold off the French armies that came boiling across their frontiers and to cope with the combined navies of France and England. As it was, they discovered the plot too late to organize effective countermeasures before the French and English attacks were launched in early 1672.

Fortunately for the Dutch Republic, for the balance of power, and for England, the English part of the assault was bungled. Charles had hoped to help finance his war and to weaken his enemies by capturing the Dutch Smyrna Fleet in a sneak attack before the declaration of war. But the Fleet managed to escape the English task force; and when Charles declared war, on 17 March, he was compelled to rely upon French subsidies and the money he had sequestered by stopping the Exchequer (that is to say, defaulting on the payments owed to the bankers who had lent the government money). These resources, in turn, were essentially wasted by an indecisive naval campaign in the summer of 1672. In late May, Michiel de Ruyter, the famous Dutch admiral, launched a surprise attack upon the combined English and French fleets at Southwold Bay; and though he was ultimately driven off in what the English would claim as a victory, both navies were so badly mauled that part of the summer was spent in refitting. Far from being driven from the seas, the Dutch were still able to defend their shores from amphibious attack and to foil the plans of the English to capture their East India merchantmen. The next summer, they would sail forth again to batter the combined fleets at Schooneveld and the Texel and to prevent an English landing.

The French assault by land, on the other hand, was alarmingly successful. With an efficiency which showed that Charles and his Cabal had unchained a monster, the French armies swept irresistibly across the south-eastern frontiers of the Republic, capturing fortresses and scattering the meager forces that tried to oppose them. They might not have been stopped at all had they not paused to accept the surrender of the Dutch, which did not come, and to consolidate their positions.⁷ As it was, they were not effectively halted until they had penetrated the province of Holland itself, and then only because the Dutch opened the dikes. Almost literally at the last ditch, William, Prince of Orange (called to command the Dutch armies), was able to hold off the attackers until flooded lands, bad weather, and long supply lines blunted the blitzkrieg and gave him time to

⁵At the then-going conversion rate, as Sir George Norman Clark points out in *The Later Stuarts*, 2nd ed. (Oxford, 1955), p. 76, this sum becomes slightly more than £166,000—not £200,000, as the figure is sometimes given.

⁶For the text of the Treaty of Dover, as well as that of the sham treaty (signed at Westminster, 21 Dec. 1670), see François August Marie Alexis Mignet, *Négociations Relatives à la Succession d'Espagne sous Louis XIV*, iii (Paris, 1842), 187-99; 256-65.

⁷Baxter, p. 88.

hire mercenary soldiers and find allies. By the thinnest of margins, William, de Ruyter, and their men had saved the Republic for the winter of 1672-73. Louis and Charles would need at least one more campaign.

For Charles another campaign entailed convoking a session of Parliament—the only possible source of supplies adequate for an expensive war. Charles had managed to avoid calling a parliament for almost two years, and he was understandably reluctant to call one now. His faithful Lords and Commons were apt to ask embarrassing questions about his highly questionable war, and they were sure to attack the Declaration of Indulgence that he had issued on 15 March 1672. But Charles had no choice. His attempts to capture the Dutch merchant fleets had failed. He could not finance a costly war on his ordinary revenues plus French subsidies; and he had ruined the government's credit by his stop of the Exchequer. He was obliged, therefore, to meet his Parliament or give up the war. Accordingly, he convoked the memorable session that first met on 4 February 1673—the session that Tom Wharton would join in late March.

This session, which cost Tom a rich marriage in Devon, was a great deal more costly to Charles II and his Lord Chancellor. It marked a critical turning point in the relationship between Charles and his Royalist House of Commons. About the war the gentlemen of the House were only marginally wiser than the King and his advisors. They too were used to fighting commercial wars with the Dutch, and they too remembered the humiliation of seeing English warships towed down the Thames by the Dutch navy. Under the spell of Shaftesbury's oratory, they could almost believe what he said as he bobbed and weaved his way through his defence of avowable royal policy, and they could almost forget their queasiness over the sobering demonstration of French power. But if they were confused about the war, they were not confused at all about the King's Declaration of Indulgence. This they were bound to oppose tooth and nail.

The Declaration of Indulgence was a royal edict which suspended the penal laws against nonconformists, both Catholic and Protestant, and provided for a measure of religious toleration. It had been issued, Charles told his Parliament, by virtue of the King's undoubted right, as head of the English Church, to dispense with the penal clauses in ecclesiastical laws; and it was designed to produce peace at home while he dealt with Dutch malefactors abroad. Toleration, he explained virtuously, would quiet the enemies of the Established Church. And the Anglican Church, Shaftesbury reminded the Lords and Commons, was the sacred institution for which Charles's father had died and which Charles himself had sworn to maintain.⁸

Unfortunately for toleration, the King's Declaration contained two lethal flaws—one constitutional and the other political. On constitutional grounds, the Commons could not allow the King to cancel any parliamentary laws, ecclesiastical or otherwise, or to create laws, however well meant, by edict. To permit such encroachment would be a perilous first step in making the King absolute after the manner of Louis XIV. On political grounds, the Commons could not accept any increase in Catholic power. They did not know

⁸*HCB*, ix, 246, 256.

the secret terms of the Treaty of Dover, which had consigned them to popery, but they suspected that something ominous lay behind the Declaration of Indulgence. Coming as it did, two days before a sudden declaration of war against the Dutch and before the sudden revelation that England was now allied with Catholic France, the Declaration created a chill among perceptive MPs. The chill was not lessened by the King's artful reassurances. Although the Members were muddled, thick, and unwholesome in their thoughts, there was nothing wrong with their sense of smell. They knew that the King's court swarmed with papists and that there were popish officers in the army and navy; and they suspected that at least two of the King's ministers, Arlington and Clifford,⁹ were crypto-Catholics. Worst of all, they suspected, rightly, that James, Duke of York, heir apparent to the throne, was an undeclared Catholic. They sensed, therefore, that the King's Declaration was a design to strengthen popery and that the toleration offered to Protestant dissenters was clever camouflage.

Under these circumstances, the House of Commons, during a melodramatic two-month session, busied itself with forcing the King to rescind his Declaration and with removing Catholics from civil and military offices. While Tom Wharton was trying to get himself elected at Wendover and then trying to get his election petition acted upon by the Commons, his future colleagues were handing Charles II a resounding defeat and revising the rules of English political warfare. In spite of Shaftesbury's oratory and the King's blandishments, the Commons simply refused to pass a supply bill for the King until he had agreed that "penal statutes cannot be suspended but by Act of Parliament"¹⁰ and had promised to approve a bill for suppressing the growth of popery—a bill that would become famous as the Test Act.¹¹ In effect, the Commons agreed to finance one more campaign against the Dutch¹² in return for ironclad guarantees against Catholic political power. They would defuse the domestic bomb first and deal with the foreign menace later.

By 19 March, when the Commons paused in their campaign against arbitrary power long enough to act upon Tom's election petition, only one important piece of religious legislation remained to be finished by the House. This was a bill for the "ease" of Protestant dissenters. Designed to provide indulgences more or less equivalent to what the King had offered, the bill promised certain classes of Nonconformists a toleration based upon parliamentary law rather than upon illegal royal edicts. Unofficially and tacitly it also promised Presbyterian MPs that if they helped to kill the King's Declaration now, they and their clients would be recompensed presently.¹³ By coincidence, the bill came

⁹On 22 Apr. 1672, shortly after the launching of the Dutch war, Sir Thomas Clifford was created Baron Clifford of Chudleigh, and Arlington was promoted in the peerage from Baron to Earl. Both men were introduced into the House of Lords in their new ranks in the one-day session of 30 Oct. 1672 (*HLJ*, xii, 519). Both men had signed the secret Treaty of Dover (Mignet, *Négociations*, iii, 199).

¹⁰*HCJ*, ix, 252.

¹¹As passed by the House of Commons on 12 Mar. 1673 and agreed to later, with a few amendments, by the House of Lords, the so-called Test Act was entitled "An Act for preventing Dangers which may happen from Popish Recusants" (*HCJ*, ix, 268; *HLJ*, xii, 554).

¹²In voting Charles £1,238,750, the Commons spread the tax assessments over the ensuing eighteen months (*HCJ*, ix, 251). The total sum, however, was barely adequate to finance a single campaign.

¹³On 14 Feb. 1673, immediately after the Commons resolved to present their resolution against the

up for its third reading shortly after the House, by a vote of 181-101, agreed with its election committee that “Mr. Wharton” rather than Alderman Backwell was entitled to sit for Wendover. The bill was passed without a division, given the official name of “An Act for the Ease of his Majesty’s Subjects, Dissenters from the Church of *England*,” and carried to the House of Lords by Henry Powle, one of its chief sponsors.¹⁴

Although Tom gained his seat in the Commons too late to witness the central drama of the session—the King’s withdrawal of the Declaration of Indulgence, an event that took place on 8 March—he arrived in time for the tense last act. He heard the debate on the Lords’ amendments to the Test Act and saw the process by which the two Houses finally reached an agreement. He saw the long-delayed passage of the Supply Bill,¹⁵ after the Commons were assured that no one could hold a government office, civil or military, without renouncing the doctrine of transubstantiation and without taking communion in accordance with Anglican ritual. He heard the futile debates on the Lords’ version of the bill for the ease of Dissenters, which was effectively amended out of existence by the Upper House. He saw his colleagues approve, with only a few murmurs¹⁶ and no dissenting votes, a bill for accepting the King’s “most general and free pardon”¹⁷—a bill by which Parliament unknowingly provided amnesty for the signers of the Treaty of Dover.

Very significantly for the political future, Tom heard the House agree that a standing army was a nuisance and a danger and that the newly raised regiments should be disbanded promptly after the war. He also heard the Members agree that popery in Ireland was becoming more menacing and that the King should take steps to suppress it further. These anxieties would be expressed many times during the next fifteen years, and they would become more acute as the years went by. Now, no one suggested that Charles was not to be trusted with a standing army or that he was conniving at the growth of popery. The House simply organized its grievances into two addresses and presented them to the King, who returned a gracious but non-committal answer.¹⁸

While the new Member for Wendover was hearing his first debates, getting his first lessons in parliamentary tactics, and absorbing for the first time the strange and exciting atmosphere of St. Stephen’s Chapel, some of his veteran colleagues were getting their first experience in opposing the King and his ministers. The King’s Declaration and

Declaration of Indulgence to King Charles and to inform him that penal statutes can only be suspended “by Act of Parliament,” they also resolved, without a division, to bring in a bill for the ease of Protestant dissenters (*H CJ*, ix, 252). The timing of the two resolutions is not coincidental.

¹⁴*H CJ*, ix, 270-71. The fact that the bill for the relief of Protestant dissenters came up for its third reading probably accounts for the large attendance in the House on 19 Mar. and for the large number of votes in the division on Tom’s election. The total of 282 is second only to the 284 votes on the resolution, on 10 Feb., that penal statutes cannot be suspended except by Act of Parliament (*H CJ*, ix, 251).

¹⁵Officially the appropriations bill was called, “An Act for the raising the sum of Twelve Hundred Thirty-eight Thousand Seven Hundred and Fifty Pounds, for Supply of His Majesty’s extraordinary Occasions” (*HLJ*, xii, 584).

¹⁶Grey, *Debates*, ii, 169-71.

¹⁷*H CJ*, ix, 286.

¹⁸*H CJ*, ix, 276-77.

his ominous alliance with Louis XIV had begun the process of turning loyal Cavaliers into responsible Englishmen. They would always love Charles, to be sure, and they desperately wanted to believe that his alarming policies were the work of conniving counsellors; but like a man who has discovered a chancre on his mistress, they would never be wholeheartedly trusting again. Charles was becoming (in Rochester's witty phrase) "our sovereign lord the King whose word no man relies on"; and he was laying a sure foundation for the Whig party and for anti-popish hysteria. Meanwhile, loyal MPs, in opposition for the first time, found it necessary to save him from his ministers or from himself.

Unfortunately for the Earl Shaftesbury and for his future as second Whig, the King's Lord Chancellor learned practically nothing from the dramatic session, and he acquired some formidable disabilities. Still unaware of the secret Treaty of Dover with its Catholic clauses and still hoodwinked by the sham treaty he had signed himself, he continued to regard Charles as a loyal if lukewarm Anglican, and he supported the King's Declaration of Indulgence to the end. He even advised Charles to dissolve Parliament rather than yield on the issue. He remained similarly committed to the Dutch war and the French alliance. He had begun the session by comparing the Republic to Carthage—an enemy to be destroyed at all costs; and he used all his wiles to see that the war was adequately financed. Towards the end of the session, he was willing to support the Test Act in the House of Lords rather than risk the million odd pounds that the Commons dangled before the King's eyes.¹⁹

Naturally these positions became embarrassing as events rendered them odious, sinister, or ridiculous. Very soon his resounding phrase *Delenda est Carthago* would sound like a three-word formula for handing the Low Countries over to Louis XIV; and when he later pretended that he had meant only to destroy the government of the De Witts, he was laughed at.²⁰ Again, his inability to smell a popish rat in the King's Declaration seemed strange and compromising to true blue Protestants; and his close association with Arlington and Clifford seemed more so. Shaftesbury had lain down with dogs and come up with political mange. More enduringly and perhaps more fatally for the party he would one day organize, he had earned himself the lasting hostility of the Dutch, whose obliteration he had urged with such eloquence. In effect, he had conceded the Prince of Orange to Danby and Charles, who was the Prince's uncle, and paved the way for the Monmouth fiasco.²¹ It was an error that with a certain poetic justice would ultimately send him to seek refuge in Holland.

While Charles and Shaftesbury were licking their political wounds and trying to rescue

¹⁹For Shaftesbury's maneuvers during the crucial session, see *Shaftesbury* pp. 315-26. K. H. D. Haley, the author, shows convincingly (pp. 323-25) that Shaftesbury remained ignorant of the Catholic clauses in the Treaty of Dover and that his ultimate support of the Test Act was not a move in opposition to the King's policies.

²⁰*HLJ*, xii, 589; Burnet, ii, 32.

²¹Haley points out (*Shaftesbury*, p. 33) that there is no evidence that Shaftesbury was ever in touch with William. Perhaps he should add that Shaftesbury had put himself beyond the pale with his anti-Dutch oratory. Had he approached William personally, William might have spit in his eye.

their battered policy, Tom was trying to undo the damage at Exeter. All three men failed. Tom, as we have seen, was repulsed by the Cabell ladies. The King's navy was foiled in two bloody engagements, and the troops collected for a descent on Zeeland never set foot on Dutch soil. The Prince of Orange, who turned out to be a Dutch patriot rather than a compliant Stuart vassal, refused to surrender or negotiate a ruinous peace. Instead, he stitched together a coalition that was eventually strong enough to remove the French from his doorstep (though not strong enough to beat them back over their borders or prevent them from taking Maastricht). Charles, therefore, had the frustration of watching the money for which he had sold his Declaration disappear down a rat hole. Shaftesbury had the additional frustration of seeing his pro-French arguments shredded by the incisive and knowledgeable Huguenot writer Peter Du Moulin, whose *Appeal from the Private Cabal at Whitehall* turned the tide in the propaganda war and made the English alliance with France sound almost as unwise as it actually was.²² Finally, Shaftesbury had to help deal with the new problems raised by James, Duke of York. It was James, always a formidable handicap to his brother Charles, who helped to clear Shaftesbury's nasal passages and impelled him to take his first tentative steps toward opposition.

James was an early casualty of the Test Act. Unable to renounce transubstantiation under oath, he was obliged in June of 1673 to resign his position as Lord High Admiral. His resignation, though not a formal announcement that he had turned Catholic, increased the suspicions of his countrymen; and it was soon followed by another action even more damaging. During the summer, while Parliament was prorogued (and while Lord Wharton was arranging Tom's marriage to Anne Lee), Charles and James, with the powerful mediation of Louis XIV and with the assistance of their special ambassador Henry Mordaunt, Catholic Earl of Peterborough, negotiated a marriage for James with the Italian princess Maria Beatrice Anne Margaret Isabel d'Este.²³ The ceremony was performed by proxy on 30 September, New Style, at Modena, with Peterborough standing in for James.

To his countrymen the fact that James was within a few days of forty and his young bride was not quite fifteen did not seem significant. No one except the participants, the bride's mother, and perhaps Charles II, cared very much whether or not the couple was likely to be happy. What did seem significant, if not sinister, was the fact that young Maria (or Mary Beatrice, as some Englishmen called her) was a Catholic, that her family was allied with Louis XIV, and that she was probably fertile. She was not yet a clear

²²[Peter Du Moulin], *Englands Appeal, from the Private Caballe at White-hall to the Great Council of the Nation. The Lords and Commons in Parliament Assembled* (n.p., 1673). For Du Moulin's authorship and an excellent discussion of the long pamphlet, see Kenneth Harold Dodson Haley, *William of Orange and the English Opposition, 1672-4* (Oxford, 1953), pp. 107-11. Du Moulin's *Appeal*, which was originally published in Holland and smuggled into England in March (too late to influence the parliamentary session then winding up) was also brought out in Dutch translation (Rotterdam, 1673). Along with the army of Louis XIV, the book helped to convince Englishmen and Dutchmen that they needed each other.

²³For a large collection of documents on the marriage negotiations, see Marchesa Emilia Campana de Cavelli, *Les Derniers Stuarts à Saint Germain-en-Laye* (Paris, 1871), i, 1-130. Louis, as he explained to the Duchess of Modena (the young lady's mother) in a letter dated 7 Aug. 1673, regarded the alliance between James and Maria as "un nouveau lien de l'union qui est déjà si étroite entre le Roy d'Angleterre et moy" (ibid, p. 21).

and present danger, as matters then stood, but she represented a not-too-distant threat.

The basic problem, of course, was that Charles II had no legitimate children. Though he had already sired a goodly number of bastards, both boys and girls, and would eventually sire an officially recognized total of fourteen,²⁴ his Portuguese Queen, Catherine of Braganza, had produced no children at all in eleven years of marriage. This meant that his younger brother James was the heir apparent to the throne. It also meant that the two daughters, Mary and Anne, whom James had sired by his first marriage, to Anne Hyde, were in line to succeed James. Englishmen who had received a shock when James had resigned his commission and who had acquired something like a permanent anxiety at the possibility of a popish successor could always comfort themselves with the thought that Charles might outlive his younger brother. In that case, Charles would be succeeded by one of the girls, who were being raised as Protestants, and all would be well. And even if James outlived Charles by a few years, he would probably be succeeded by Mary before he could do irreparable damage to Church and State. But with James married to a second, popish wife, the picture darkened. Besides hardening the Duke in his popish errors, the new wife might produce a son. The son, by English law, would precede his half-sisters in the line of succession; and if he was brought up a papist, as he might be, England was threatened with a line of popish monarchs. With the solid support of French dragoons, popery and slavery (which to most Englishmen were convertible terms) might be entailed on England forever.

Charles and James strove mightily to have the proxy marriage completed and the young princess safely rewedded and bedded in England before Parliament met on 20 October. They wanted to present the two Houses with a *fait accompli* and prevent attempts to block the marriage. But the intricacies of Italian church politics and the time-consuming necessity of convincing a fourteen-year-old girl that she had a religious duty to marry a man she had never heard of in a country she could not locate on a map delayed the proxy marriage until 30 September; and the difficulties of overland travel and the delicacy of the young lady's health meant that on 20 October Maria was in Paris, too ill for the time being to complete her journey. Technically and officially, she was already Duchess of York, but the marriage had not been consummated.

The King had hoped to finesse the Duke's marriage and to persuade the Commons to finance still another military campaign. These hopes, however, vanished almost overnight. The House had barely sat down when it passed a resolution for an address to the King asking "that the intended marriage of his Royal Highness with the Duchess [Princess] of Modena be not consummated and that he may not be married to any person but of the Protestant religion";²⁵ and when the King explained, after a prorogation of a week, that the proxy marriage was completely valid and that his royal honor was involved in supporting it, the House overwhelmed his beleaguered spokesmen by a vote of 184-88 and prepared a second address longer and stronger than the first.²⁶

²⁴For a list of the children, see "Bastards of Charles II," *CP*, vi, App. F, 708.

²⁵*H CJ*, ix, 281.

²⁶*H CJ*, ix, 284-85.

On the subject of supply, Tom and his new friends were equally unyielding. When the King explained to the assembled Lords and Commons that he was striving to negotiate a peace but that he needed another naval campaign, or at least the threat of one, to force the slippery Dutch to accept reasonable terms, the Commons did not thank him for his speech; they simply voted to consider it some days hence. And when Shaftesbury ran through a much-muted anti-Dutch litany, urging support for the King's measures, the House did not bother to record his speech in their journal.²⁷ On 31 October the Members got around to discussing the King's request for money; but after a lively debate in a committee of the whole house,²⁸ the Commons resolved that they would not consider the subject of supply further until the eighteen months of their former grant had expired and until the kingdom was "effectually secured from the dangers of popery and popish councils."²⁹ They resolved, in effect, to force Charles out of the war before the next campaign. If the Dutch proved "obstinate"—if, that is, they refused to come to satisfactory terms in the ensuing months—the Commons agreed to reconsider the question of supply. Meantime, however, though no one actually said so, the Commons preferred to trust the Protestant Prince of Orange rather than Charles, James, and the Cabal.

The fact that the Commons refused supply, attacked the popish marriage, declared a standing army a grievance,³⁰ and seemed ready to begin impeaching ministers meant that Tom's second lesson in statecraft was a short one. The session, which Charles prorogued on 4 November, lasted only seven scattered days—not long enough, as it turned out, for the Commons to hear as a body Dr. Edward Stillingfleet deliver the sermon they had ordered for Guy Fawkes Day. It was long enough, nevertheless, for the newly married MP for Wendover (based now at Danvers House in Chelsea) to observe something like a dress rehearsal for the famous Exclusion Parliaments of 1679-81. Suddenly, the threat of a popish succession had become a major political issue and a crippling embarrassment to the King's friends in the House of Commons. Along with the increasingly odious French alliance, it rendered loyalists like Sir Robert Carr, Henry Coventry, and Sir Heneage Finch helpless and allowed critics of the government to carry motions almost at will. Men like Henry Powle, Sir Thomas Clarges, and William Russell hardly needed the support of newcomers like Tom to defeat the King's measures. Neither Crown pressure and patronage nor French money could bend the relentless opposition. And on 5 November, the day after the prorogation, the multitude of Guy Fawkes bonfires and the huge crowds that gathered in the City to burn the pope in effigy, showed that the passions of the Commons were tame compared with those of the Londoners.

Meanwhile, the Earl of Shaftesbury was being forced into virtue. His opposition to the Duke of York's marriage and his growing perception that James, who had been merely a bore as a Protestant, had now become a menace cooled his zeal for the French connection and set him to thinking about ways of insuring the succession. There were only two of

²⁷The Lords, on the other hand, formally thanked the King and ordered his speech, as well as Shaftesbury's, to be printed (*HLJ*, xii, 588-90).

²⁸Grey, *Debates*, ii, 197-213.

²⁹*HCB*, ix, 285.

³⁰*HCB*, ix, 286.

these—not counting the possibility that James would have the good grace to die and remove himself from the scene. One was that Charles would divorce his barren Queen, marry a fertile princess, and produce an heir to supplant his brother; the other was that Charles would legitimize his oldest bastard son, whom he had made Duke of Monmouth, and name him heir to the throne. Neither of these alternatives pleased Charles, and the fact that his Lord Chancellor had begun to worry aloud about such expedients³¹ made him suspicious. Knowing Shaftesbury's lack of enthusiasm for James and for popery in general, he suspected Shaftesbury of intriguing with royal enemies at home and abroad.³² For these suspicions, about which he had no solid evidence, he did not need proof, since he could always dismiss a royal servant out of hand. On 9 November 1673, to the great relief of Queen Catherine and the Duke of York, Charles asked Shaftesbury to hand over the Lord Chancellor's seals; and Shaftesbury, no longer trammelled by government duties, pay, and perquisites, could take up the work of opposition in earnest.

Although Shaftesbury's dismissal could not expiate all his political sins, it helped immensely. Along with the undeserved praise he had acquired from his support of the Test Act during the battles of March, it allowed him to pass as the sole patriot of the Cabal—a true, or at least half-true, Englishman in a nest of papists and greedy dupes. Also helpful was the fact that Clifford, victimized like James by the Test Act, had been forced to resign in June and had died in August. Clearly a Catholic, he could be safely blamed for some of the most outrageous government measures. Even the timing of the dismissal worked in Shaftesbury's favor. When Parliament re-convened, the Commons were virtually certain to demand the removal, if not the impeachment, of the King's ministers. Now, safely out of the line of fire, Shaftesbury would not have to account for his part in the foreign policy disasters.

When Parliament opened on 7 January 1674, Charles made his final effort to finance the war and save the French alliance, and Tom Wharton received his third lesson in parliamentary opposition. This time the King's position seemed more hopeful. James was safely married to young Maria, who was a charming Italian lady, whatever her religious disabilities; and further opposition was ungentlemanly as well as futile. More importantly, the King's parliamentary business was now in the hands of Thomas, Lord Latimer, who had replaced Clifford as Lord Treasurer. Latimer, who had once been Sir Thomas Osborne and would soon be Earl of Danby,³³ was an authentic political genius who understood political persuasion, organization, and bribery, as well as government finance. He was currently in the process of rallying the King's beaten and demoralized supporters; and he was assisted by Sir Heneage Finch, the new Lord Keeper. Finch, who

³¹In the summer of 1673, between sessions of Parliament, an opposition satirist announced an imaginary sale. Among the items offered were "Two accurate Mapps, the one of a new Queene and the other of making the Duke of Monmouth Legitimate, both Secundum artem and of the Chancellor's [Shaftesbury's] owne drawing, to be presented to parliam^t next Sessions, valued at his neck and to be advanced at discretion." See, Evelyn Carolyn Legh, Baroness Newton, *Lyme Letters, 1660-1670* (London, 1925), p. 88.

³²For Shaftesbury's dismissal and the inconclusive evidence against him, see *Shaftesbury*, pp. 327-47.

³³Sir Thomas Osborne was created Visct. Oseburne of Dunblane (Scots peerage) 2 Feb 1673, Visct. Latimer 15 Aug. 1673, and Earl of Danby 27 June 1674.

was about to become Baron Finch of Daventry, was assigned the task of proving in his opening speech to the assembled Lords and Commons that the Dutch were dangerously “obstinate” and that the Commons must support the King and vote money for the navy or risk losing control of the oceans.

The King himself made a powerful appeal for help. The way “to a good peace,” he said, “is to set out a good fleet.” He could not, he explained, force the Dutch to negotiate seriously unless he was prepared for another campaign. Then, bracing himself and lying eloquently, he told his Parliament what most of the Lords and Commons were almost pathetically eager to hear: that there were no secret and sinister provisions in his treaties of alliance with Louis XIV.

I know [he said] you have heard much of my alliance with France; and I believe it hath been strangely misrepresented to you, as if there were certain secret articles of dangerous consequence; but I will make no difficulty of letting the treaties and all the articles of them, without the least reserve, to be seen by a small committee of both Houses, who may report to you the true scope of them; and I assure you there is no other treaty with France either before or since, not printed, which will not be made known. And having freely trusted you, I do not doubt but you will have a care of my honour and the good of the kingdom.

As events turned out, Charles might have saved himself the trouble of lying or of producing an avowable treaty for the inspection of a parliamentary committee.³⁴ Though the gentlemen of the Commons hummed with approval at his speech and, after a few days’ delay, actually voted to thank him for it, they remained steadfast in their determination to take him out of the war. They would vote him no money, and they insisted upon calling the remnant of the Cabal to account. Without hearing what Lauderdale might say in his own defence, the House voted to request the King to remove him from the royal presence; and after hearing all the excuses that the Duke of Buckingham could invent, they voted to have him removed also.³⁵ With Arlington, who gave a spirited defense of his actions and who carefully concealed his complicity in the Treaty of Dover, the House began formal impeachment proceedings; but these were still in the committee stage at the end of the session, and in any case, they would have been unlikely to produce a conviction in the conservative House of Lords.

³⁴On 28 Jan. 1674, a treaty between France and England was read to the Lords while they were sitting as a committee of the whole house. It was not, of course, the original Treaty of Dover but very probably the sham treaty of 21 Dec. 1670, re-dated 2/12 Feb. 1672 to disguise the fact that the attack on the Dutch was long premeditated and that the King’s ostensible reasons for declaring war were eyewash. Haley, noting the date assigned to the treaty read to the Lords, was under the impression that a third treaty had been produced (*William of Orange*, p. 182); but Mignet mentions no such document, and a simple change of date would have achieved the desired result. For an account of the reading, which is not given in the Lords’ *Journal*, see HLRO, MS Min., 28 Jan 1673/4; HMC, 9th Rept., ii, 40.

³⁵The King did not dismiss Lauderdale or Arlington, but he did dismiss Buckingham.

By the end of two weeks it was clear that the King had lost. As Sir Robert Southwell observed, there was not even talk of money in the Commons.³⁶ The Members wanted to discuss such questions as who advised the stop of the Exchequer, the attack on the Smyrna Fleet, the naval arrangements with the French, and the French alliance in general. Otherwise they were only interested in more anti-popish legislation. There would be no “good fleet” for another campaign. When, therefore, Charles received, through the Spanish ambassador, a firm Dutch offer for a separate peace, he was practically forced to take it. On 24 January he submitted the offer to the Lords and Commons³⁷ in the hope that they would find the proposed settlement inadequate and vote to continue the war; but this hope too was disappointed. The Houses decided separately and then jointly that what the Dutch offered—an indemnity of about £180,000, the return to England of the recaptured New Netherlands, and a little extra courtesy by Dutch ships to English ships—was enough for the King’s honor and the good of England. The English would not receive Dutch towns and offshore islands, as Charles and Louis had planned, but they would be safely out of the war and out of the French alliance.

On 6 February, Charles promised to follow, speedily, the advice of his Parliament; and on 11 February, he announced to the Lords and Commons that he had signed a treaty for what he hoped would be a lasting peace.³⁸ He also announced that he had ordered the land forces reduced below the level asked for by the Commons. In return, he requested that the Commons should vote him enough money for a strong navy. The Commons, however, though willing to vote thanks for the peace treaty and the arms reduction, showed no sign of passing a money bill. On 24 February, therefore, when Charles could announce that the Dutch government had officially ratified the peace treaty and before the Houses had completed their anti-popish legislation, he prorogued his Parliament. In doing so, he put an end to the third consecutive session in which he and his ministers had been mauled by the opposition; and he secretly conceded that the Treaty of Dover was dead.

For Tom Wharton, of course, these three sessions were the first of his long parliamentary career; and he spent them essentially as an observer and supernumerary—a student spear bearer in a three-act drama. He was appointed to no committees, and if he made a speech in the Commons, no one recorded it. His experience, however, was by no means negligible. By sheer good fortune, he happened to arrive in the Commons while Charles II was arousing the phobias out of which a powerful opposition party could be built; and he saw how even a loosely organized coalition could defeat the Court when it held the balance of anxiety, prejudice, and political sanity. With made-to-order opponents like Louis XIV and James, Duke of York, the embodiments of popery and arbitrary power, any English party was apt to thrive.

Perhaps, in fact, Tom’s first three lessons made opposition seem too easy. He had not yet seen the reserves of power at the disposal of the King or learned how wily Charles

³⁶Sir Robert Southwell to Sir Joseph Williamson, 23 Jan. 1674, *CSPD*, xvi (1673-1675), 112-13.

³⁷The terms are recorded in *HLJ*, xii, 617-18.

³⁸*HLJ*, xii, 632.

could be. Certainly he could not know that Charles and his new Lord Treasurer, now relieved of their expensive and unpopular war, would win several upcoming skirmishes. Nevertheless, it was an excellent time for an apprentice Whig to learn his trade. The term *Whig* had not yet been applied, by some unsung genius, to the party Shaftesbury would presently organize, but the lines of resistance had been defined for many years to come. The second and third Whigs were about ready to take up their positions. And the third Whig would have a great advantage over his party chief. He had never said anything as melodramatically stupid as *Delenda est Carthago*, and he had never supposed that a military alliance with Louis XIV was a good idea.

ABBREVIATIONS

1. List of abbreviations commonly used in the citation of book titles and of manuscripts

Add.	Additional
BL	British Library
Corr.	Correspondence
<i>CSPD</i>	<i>Calendar of State Papers, Domestic</i>
<i>CTB</i>	<i>Calendar of Treasury Books</i>
<i>HCH</i>	<i>Journal of the House of Commons</i>
HEH	Henry E. Huntington Library
<i>HLJ</i>	<i>Journal of the House of Lords</i>
HLRO	House of Lords Record Office
HMC	Historical Manuscript Commission
HS	Harleian Society
<i>IHCJ</i>	<i>Journal of the House of Commons... Ireland</i>
<i>IHLJ</i>	<i>Journal of the House of Lords... Ireland</i>
MS, MSS	Manuscript, manuscripts
NLW	National Library of Wales, Aberystwyth
<i>OED</i>	<i>Oxford English Dictionary</i>
PR	Parish Register
PRO	Public Record Office
RCHM	Royal Commission on Historical Monuments
RO	Record Office
SP	State Papers
TCD	Trinity College, Dublin
<i>VHC</i>	<i>Victoria History of the Counties of England</i>

2. List of Books and Manuscripts cited by Short Titles

<i>Annals</i>	Abel Boyer, <i>The History of the Reign of Queen Anne</i> , Digested into Annals, 11 vols. (London, 1703-13).
Autobiography	The Autobiography of Goodwin Wharton, BL, Add. MSS 20,006-07.
Baxter	Stephen Bartow Baxter, <i>William III and the Defense of European Liberty, 1650-1702</i> (New York, 1966).
<i>Biog. Univ.</i>	<i>Biographie Universelle, Ancienne et Moderne...</i> , 2nd edn., 45 vols. (Paris, 1843-65).
Burnet	Gilbert Burnet, <i>Bishop Burnet's History of His Own Time</i> , ed. Martin Joseph Routh, 2nd edn., 6 vols. (Oxford, 1833).
<i>Calamy Revised</i>	Arnold Gwynne Matthews, <i>Calamy Revised</i> (Oxford, 1934).
Carte	Bodleian Library, Carte MSS.

- CB *Complete Baronetage*, ed. G. E. C.[okayne], 5 vols. (Exeter, 1900-6).
- Clark Sir George Norman Clark, *The Later Stuarts, 1660- 1714*, 2nd ed. (Oxford, 1955).
- CP *The Complete Peerage of England, Scotland, Ireland, Great Britain, and the United Kingdom*, ed. G. E. C.[okayne], rev. ed., 12 vols. (London, 1910-59).
- Dalrymple Sir John Dalrymple, *Memoirs of Great Britain and Ireland*, 2nd ed., 2 vols. (London, 1771-73).
- Dalton *English Army Lists and Commission Registers, 1661-1714*, ed. Charles Dalton, 6 vols. (London, 1892-1904).
- Danby Andrew Browning, *Thomas Osborne, Earl of Danby and Duke of Leeds*, 3 vols. (Glasgow, 1944, 1951).
- DBF *Dictionnaire de Biographie Française*, eds. J. Balteau, M. Barroux, M. Prévost, et al. (Paris, 1929-).
- DNB *Dictionary of National Biography*.
- E. R. Wharton Edward Ross Wharton, *The Whartons of Wharton Hall* (Oxford, 1898).
- Evelyn *The Diary of John Evelyn*, ed. E. S. de Beer, 6 vols. (Oxford, 1955).
- Goodwin Wharton J. Kent Clark, *Goodwin Wharton* (Oxford, 1984; repr., London, 1989).
- Grey, *Debates* Anchitell Grey, *Debates of the House of Commons from the Year 1667 to the Year 1694*, 10 vols. (London, 1763).
- HC, 1660-90 *The House of Commons, 1660-1690*, ed. Basil Duke Henning, published for History of Parliament Trust, 3 vols. (London, 1983).
- Holmes Geoffrey Shorter Holmes, *British Politics in the Age of Anne* (rev. ed. London, Ronceverte, 1987).
- Japikse *Correspondentie van Willem III en van Hans Willem Bentinck*, ed. Nicolaas Japikse, 5 vols. ('S-Gravenhage, 1927-37).
- Kemeys-Tynte NLW, Aberystwyth, Wales, Kemeys-Tynte MSS.
- Kennett White Kennett, *A Complete History of England*, 3 vols. (London, 1706).
- Kenyon John Philipps Kenyon, *The Popish Plot* (London, New York, 1972).
- Langley Thomas Langley, *The History and Antiquities of the Hundred of Desborough* (London, 1797).
- Lonsdale Cumbria RO, Carlisle, Lonsdale MSS.
- Luttrell Narcissus Luttrell, *A Brief Historical Relation of State Affairs from September 1678 to April 1714*, 6 vols. (Oxford, 1857).
- Macaulay Thomas Babington Macaulay, 1st Baron Macaulay, *The History of England from the Accession of James the Second*, ed. Sir Charles Harding Firth, 6 vols. (London, 1913-15).

Macky	John Macky, <i>Memoirs of the Secret Services of John Macky, Esq.</i> (London, 1733).
Marlborough-Godolphin	<i>The Marlborough-Godolphin Correspondence</i> , ed. Henry L. Snyder, 3 vols. (Oxford, 1975).
<i>Memoirs</i>	<i>Memoirs of the Life of the Most Noble Thomas, Late Marquess of Wharton</i> (London, 1715).
Mignet	François August Marie Alexis Mignet, <i>Négociations Relatives á la Succession d'Espagne sous Louis XIV</i> , 4 vols. (Paris, 1835-42).
NBG	<i>Nouvelle Biographie Générale...</i> , 46 vols. (Paris, 1855-67).
Ogg	David Ogg, <i>England in the Reign of Charles II</i> , 2nd ed., 2 vols. (Oxford, 1955).
<i>Old Cause</i>	John Carswell, <i>The Old Cause</i> (London, 1954).
<i>Parl. Diary</i>	<i>The Parliamentary Diary of Narcissus Luttrell, 1691-1693</i> , ed. Henry Horwitz (Oxford, 1972).
<i>Parl. Hist.</i>	<i>The Parliamentary History of England</i> , ed. William Cobbett, 36 vols. (London, 1806-20).
POAS	<i>Poems on Affairs of State, Augustan Satirical Verse, 1660-1714</i> , gen. ed., George de F. Lord, 7 vols. (New Haven, Conn., 1963-75).
<i>Pol. State</i>	Abel Boyer, <i>The Political State of Great Britain</i> 60 vols. (London, 1712-40).
Rawlinson	Bodleian Library, Rawlinson MSS.
<i>Sacheverell</i>	Geoffrey Shorter Holmes, <i>The Trial of Doctor Sacheverell</i> (London, 1973).
<i>Shaftesbury</i>	Kenneth Harold Dobson Haley, <i>The First Earl of Shaftesbury</i> (Oxford, 1968).
Speck	William Arthur Speck, <i>Tory and Whig, the Struggle in the Constituencies, 1701-1715</i> (London, New York, 1970).
<i>State Trials</i>	<i>A Complete Collection of State Trials</i> , ed. T. B. Howell, 21 vols. (London, 1811-26).
<i>Surv. London</i>	Greater London Council, <i>Survey of London</i> , vol. i- (London, 1900-).
Trevelyan	George Macaulay Trevelyan, <i>England Under Queen Anne</i> , 3 vols. (London, 1930-34).
Verney Corr.	Bucks. RO, microfilm collection of Verney family letters in Claydon House.
Wharton	Bodleian Library, Wharton MSS.